

REMARKS

Applicants have carefully reviewed the Office Action dated May 9, 2006. Applicants have amended Claims 1 and 14 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1 and 14 stand rejected under 35 U.S.C. § 112 as being indefinite. This rejection is respectfully traversed with respect to the amended claims.

The Examiner has questioned the use of the term “has no associated routing information embedded therein and does not identify nor is it inherently associated with a routing path to a destination location...” when referring to the fact that the product code has no routing information contained therein. Further, it is now stated that the unique information is controlled at the intermediate location and it is controlled thereby. Therefore, this clearly provides a limitation to the claim in that, if the product code contains routing information, then such system would not be covered by the claims. As such, Applicant believes that this particular application does not fall within the examples set forth in MPEP § 2173.05(d). Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 rejection with respect to Claims 1 and 14.

Claims 1-17 stand rejected under 35 U.S.C. § 102(e) as being unpatentable in view of *Gifford*, U. S. Patent No. 5,812,776. This rejection is respectfully traversed.

The claims have been amended to more clearly point out that the unique information is not unique to a particular destination or that the purpose thereof is not for routing to that particular destination on the network. Applicants believe that this clarification distinguishes over the *Gifford* reference.

By way of background prior to discussing the *Gifford* reference, Applicants note that the *Hudetz* reference, previously cited, is a reference that sets forth the operation wherein a bar code is read from the surface of a manufactured product, which bar code has the purpose of identifying that product. Therefore, the bar code is unique to that product and resides in some

database for the purpose of identifying that product. A translation database is located at some remote server such that, when the bar code is read, information is retrieved from that remote server by utilizing the bar code information. Therefore, the person that creates the server creates the server for the purpose of providing related information to that bar code, this information being in the form of URLs. The *Hudetz* system does not provide the capability of allowing the intermediate location where the translation database is located to control the user computer such that it is forced to go to the URL that is returned via the translation lookup. This issue has been described in previous.

Another system that is utilized is the well known domain name server (DNS) system. Prior to the creation of domain names, one was required to enter a unique Internet address (URL) for a site in order to access that site. This was in the form of XXX.XXX.XXX.XXX. By entering this information into a browser window, the browser would recognize this as an Internet address and this was all the information that is required in order for the browser to access that Internet address. Once this is known, the browser will open port 80 (the port associated with a TCP/IP session) and then open a TCP/IP session. In this session, it sends a TCP/IP data packet to the network which is then routed to that unique address. As such, by having a unique URL for a destination node on the network, nothing more is needed. However, the disadvantage to this was that one had to remember the URL for each location on the network they wanted to access. Further, these addresses are typically owned by the IP provider and not the addressee. So, if one changed IP provides, they had to get a new URL. This is not unlike the phone company.

The DNS system provided the ability to utilize other than numeric addresses in the form of a domain name for the purpose of accessing the location on the database and the ability to "own" the domain name. All that is required is some way to link the domain name with the actual URL that defines the network location of the user. This linking is defined by the user by informing the domain name registrar of the link. Therefore, once linked, whenever one puts into the browser window a request in the form of www.xxxx.com for example, this is recognized by the server as requiring a domain name lookup and this information in terms of the "www.xxxxx.com" is sent to a domain name server at a particular location. At this point, there is no TCP/IP session open and the browser opens a port, typically port 53 by default, and sends the

request to the domain name server at the URL defined in the user computer or to the IP server which will then send this to the DNS server on the network. The DNS server is always listening on port 53 thereat for these requests. It will then determine if this is a fully qualified domain name (FQDN) and determine if the domain name is in its cache. If not, it goes to the network to determine the URL that is linked to this domain name. Once the URL is determined, it sends back a response "www.xxxxx.com is at XXX.XXX.XXX.XXX. Once the browser receives this information, it then opens a TCP/IP session on port 80. It creates a data packet with the URL and the domain name and sends it to the network to link to the associated page. This "link" is defined by the user and the controller of the domain name registry is restricted to links defined by the owner of the domain name. There is no provision for the domain name registrar to alter this without the direct instructions by the user. Thus, this is a user determined destination and there is no control whatsoever by the domain name registrar as to what address this is directed to.

The *Gifford* reference is a reference wherein an individual that owns a phone number, which phone number is utilized to contact that individual over a switching network in the form of a public switch telephone network (PSTN), is utilized for the purpose of directing an outside user to a particular location defined by the owner of that telephone number. As such, the owner of the telephone number can dispose the telephone number in a translation database and that translation database is connectible to a system that, when it recognizes the input of the telephone number, it will contact that translation database to determine the URL. Once the URL is determined, then the system will cause the user's computer to jump to that location. Again, this is utilized for the purpose of directing it to a location that is uniquely associated with the telephone number by the owner or controller of that telephone number, i.e., the owner is the one that defines the location to which a user is connected.

The pertinent portion of the *Gifford* reference that describes the operation thereof is found at Column 7 beginning at line 47 as follows:

In another aspect of the invention, facilities are provided to allow users to utilize conventional telephone numbers or other identifiers to access merchant services. These merchant services can optionally be protected using SIDs. In a preferred embodiment, as shown in FIG. 6, a Web browser client 601 provides a

"dial" command to accept a telephone number from a user, as by clicking on a "dial" icon and inputting the telephone number through the keyboard. The browser then constructs a URL of the form "http://directory.net/NUMBER", where NUMBER is the telephone number or other identifier specified by the user. The browser then performs a GET of the document specified by this URL, and contacts directory server 602, sending the NUMBER requested in Message 1.

In another embodiment, implemented with a conventional browser, client 601 uses a form page provided by directory server 602 that prompts for a telephone number or other identifier in place of a "dial" command, and Message 1 is a POST message to a URL specified by this form page.

Once NUMBER is received by directory server 602, the directory server uses database 604 to translate the NUMBER to a target URL that describes the merchant server and document that implements the service corresponding to NUMBER. This translation can ignore the punctuation of the number, therefore embedded parenthesis or dashes are not significant. In another embodiment an identifier other than a number may be provided. For example, a user may enter a company name or product name without exact spelling. In such a case a "soundex" or other phonetic mapping can be used to permit words that sound alike to map to the same target URL. Multiple identifiers can also be used, such as a telephone number in conjunction with a product name or extension.

In Message 2, Directory server 602 sends a REDIRECT to client 601, specifying the target URL for NUMBER as computed from database 604. The client browser 601 then automatically sends Message 3 to GET the contents of this URL. Merchant server 603 returns this information in Message 4. The server 602 might have returned a Web page to the client to provide an appropriate link to the required document. However, because server 602 makes a translation to a final URL and sends REDIRECT rather than a page to client 601, the document of message 4 is obtained without any user action beyond the initial dial input.

In this operation, there is a special input command that is required by the user to input this unique dial command to the system. When this is selected, then there is no need to recognize the input string as a domain name or as a URL, as it is just a string of characters. Once received, then this string of characters is sent to a particular location - directory.net. This requires first a DNS look up followed by a TCP/IP session where the data packet will include the URL of the domain name directory.net in addition to "directory.net/NUMBER." This will be sent to the translation database location on the network. At the translation database, there will be a lookup performed and, if there is a match, a REDIRECT command will be sent back to the user computer. These REDIRECT commands are in the TCP/IP session and typically look like <REDIRECT*"http://xxxxx.com/Protected.html"> or something similar thereto. Thus, there is

provided a unique identifier that is a phone number or the such which has the express purpose of defining the location on the network of a preferred location. The specification specifically sets forth that the purpose of the system is to allow a merchant to provide this unique string of characters to the public for the express purpose of being directed to a desired web location. Thus, this unique string of characters does contain routing information just as a domain name would. It is the primary purpose of the string of characters, which primary purpose is defined by the owner of the string of characters. This is set forth beginning at Column 8, line 32 as follows:

Among benefits of the "dial" command and its implementation is an improved way of accessing the Internet that is compatible with conventional telephone numbers and other identifiers. Merchants do not need to alter their print or television advertising to provide an Internet specific form of contact information, and users do not need to learn about URLs.

In the approach a single merchant server can provide multiple services that correspond to different external "telephone numbers" or other identifiers. For example, if users dial the "flight arrival" number they could be directed to the URL for the arrival page, while, if they dial the "reservations" number, they would be directed to the URL for the reservations page. A "priority gold" number could be directed to a controlled page URL that would first authenticate the user as a belonging to the gold users group, and then would provide access to the "priority gold" page. An unpublished "ambassador" number could be directed to a tagged URL that permits access to the "priority gold" page without user authentication.

As such, what *Gifford* lacks is any motivation to take as an input a unique code that has no routing information contained therein and which is for a purpose other than routing and which is controlled by the intermediate location as opposed to being controlled by the owner of the URL, i.e., the owner of the URL is the one that will define the destination location on the network. Without this, the server has no independent control of where the user will be directed. In Applicants' system, the intermediate location "owns" the URL link and not the creator of the unique code and it is not possible for the *Gifford* system to allow any control over or ownership of the URL. As such, Applicants believe that *Gifford* does not anticipate or obviate the invention as defined by the amended claims and respectfully requests withdrawal of the 35 U.S.C. § 102(e) rejection of Claims 1-17.

Applicants direct the examiner to U.S. Patent Application Number 09/382,375, which has similar subject matter and has incorporated similar arguments.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,737 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
HOWISON & ARNOTT, L.L.P.
Attorneys for Applicants

/Gregory M. Howison Reg. #30646/
Gregory M. Howison
Registration No. 30,646

GMH/dd

P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
November 9, 2006